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NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

527832000300

In re Application of  
Robert W. BROCIA, et al.Application Number  
09/005,711 Filed  
January 12, 1998

For METHOD TO DETERMINE THE ACTIVITY OF AN ENZYME

Art Unit  
1651 Examiner  
R. J. Gitomer

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 330.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 165.00

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. RECEIVED

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 03-1952. I have enclosed a duplicate copy of this sheet. OCT 24 2003

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

OFFICE OF PETITIONS

I am the

applicant /inventor

*Kate H. Murashige*  
Signature

assignee of record of the entire interest.

Kate H. Murashige  
Typed or printed name

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

attorney or agent of record.

(858) 720-5112

Registration number \_\_\_\_\_

Telephone number

attorney or agent acting under 37 CFR 1.34(a).

October 20, 2003

Registration number if acting under 37 CFR 1.34(a). 29,959

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of 1 forms are submitted.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 273019516 US, in an envelope addressed to: MS Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 10/20/03

Signature:

*Ruthie Vallejo*

(Ruthie Vallejo)